

FILED
U.S. DISTRICT COURT
CLERKS OFFICE

JOSEPH P. SCHMITT,
Plaintiff,

CIVIL ACTION NOS.

2006 JUN 29 P 3:09

05-10571-RWZ

05-10573-RWZ

05-12580-RWZ

vs

U.S. DISTRICT COURT

DEPARTMENT OF CORRECTION, et al.,
Defendants

DISTRICT OF MASS.

MOTION FOR COURT ORDER

Now comes the pro se Plaintiff in the above entitled actions and moves this honorable court for an order to the clerk of the court to contact the United States Marshals Office and inquire as to the status of the above actions sent to said US Marshals Office for service to be conducted.

As grounds for the above motion, Plaintiff states the following facts:

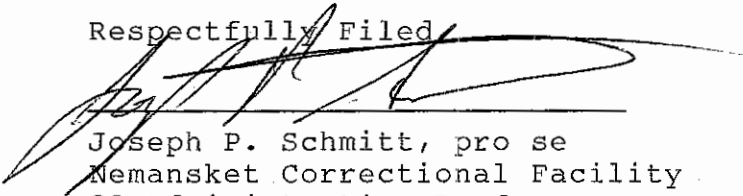
1. On May 1, 2006 Plaintiff mailed three separate packages to the US Marshals Office. Each separate package contained a complete set of copies along with individual summonses and process Receipt and Return Forms (FORM USM-285) required for each named defendant in each of the above actions.
2. Plaintiff has sent two inquiry letters to the US Marshals Office regarding the three actions and have received no responses.
3. Plaintiff is obligated to have service completed by a fixed date and if he fails to do so his actions can and shall be dismissed.
4. Plaintiff has notified this courts clerks office about this and related matters and has received no responses.
5. Plaintiff believes that unless this court issue the requested

order, he will eventually find himself having to deal with cases being dismissed due to said complaints not being delivered to the named defendants in a timely fashion. And furthermore, that as is the proven history, Plaintiff's future correspondence with the US Marshals Office and or clerks office for this court shall continue to be ignored.

WHEREFORE, Plaintiff prays this honorable court issue an order to the Clerks Office to have said clerk of court contact the US Marshals Office and inquire as to the exact status of all three actions noted above and to ensure that said actions are being served upon each and every defendant in each of the three actions noted above.

Dated: June 28, 2006

Respectfully Filed



Joseph P. Schmitt, pro se
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